

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

TRENT TYLER TREPANIA,

Plaintiff,

v.

SGT. R. DAVIDSON, et al.,

Defendants.

ORDER

Case No. 23-cv-340-jdp

On May 22, 2023, I entered an order giving plaintiff Trent Tyler Trepania until June 12, 2023, to submit the \$6.17 initial partial payment of the \$350.00 filing fee for this case. Dkt. 5. On June 2, 2023, plaintiff submitted a letter, which I construed as a motion for extension of time to submit the \$6.17 initial partial by June 28, 2023. Dkt. 6. I granted plaintiff's motion. Dkt. 7. Now plaintiff has filed a motion to proceed without prepaying the \$6.17 initial partial indicating that he does not have the funds to pay. Dkt. 10.

Based on the documentation that plaintiff has provided to the court, it appears that plaintiff presently has no means to pay the filing fee or to make an initial partial payment. Under these circumstances, plaintiff is not required to make an initial partial payment. 28 U.S.C. § 1915(b)(4). However, plaintiff is obligated to pay the full \$350.00 filing fee even if this court ultimately determines that plaintiff's complaint cannot go forward. 28 U.S.C. § 1915(b)(2).

Because plaintiff is an inmate, plaintiff is subject to the Prison Litigation Reform Act, which requires the court to screen the complaint to determine whether any portion is frivolous or malicious, fails to state a claim on which relief may be granted or seeks monetary relief from a defendant who is immune from such relief.

ORDER

IT IS ORDERED that,

1. Plaintiff Trent Tyler Trepania's motion to proceed without paying an initial partial payment of the filing fee, dkt. 10, is GRANTED; plaintiff remains responsible for paying the \$350.00 filing fee.

2. No further action will be taken in this case until the court has screened the complaint as required by the Prison Litigation Reform Act, 28 U.S.C. § 1915(e)(2). Once the screening process is complete, a separate order will issue.

Entered this 30th day of June, 2023.

BY THE COURT:

/s/
ANDREW R. WISEMAN
United States Magistrate Judge